

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 09/849,344
Applicant : YOKOYAMA et al.
Filed : May 7, 2001
Tech Center/AU : 1732
Examiner : Fontaine, Monica A.
Entitled : INJECTION CONTROL METHOD OF DIE-CASTING
MACHINE AND INJECTION CONTROL UNIT OF DIE-
CASTING MACHINE
Attorney Reference : 041411-0277195
Customer Number : 00909

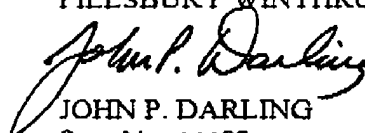
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CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8

I hereby certify that the following papers are being transmitted by facsimile
to **Examiner Monica A. Fontaine** at the U.S. Patent and Trademark Office at (703)
872-9306 on the date shown below:

- Fee Transmittal
- Request for Continued Examination (RCE)

Respectfully submitted,
PILLSBURY WINTHROP LLP



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Date: January 14, 2005

TOTAL NUMBER OF PAGES IN FACSIMILE: 5

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PTO/SB/17 (12-04)

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| | | | |
|--|--|--------------------------|---------------------|
| Effective on 12/06/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4518) | | Complete if Known | |
| <h2 style="text-align: center;">FEE TRANSMITTAL for FY 2005</h2> | | Application Number | 09/849,344 |
| | | Filing Date | May 7, 2001 |
| | | First Named Inventor | YOKOYAMA et al |
| | | Examiner Name | Fontaine, Monica A. |
| | | Art Unit | 1732 |
| <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 | | Attorney Pocket No. | 041411-0277195 |
| TOTAL AMOUNT OF PAYMENT | | (\$) 790 | |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) _____

☒ Deposit Account Deposit Account Number **033975** Deposit Account Name **PILLSBURY WINTHROP LLP**

For the above-identified deposit account, the Director is hereby authorized to (check all that apply):

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fee Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|---------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 150 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 180 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| | | |
|--|--|-------------------------------------|
| Fee Description Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent Multiple dependent claims | Small Entity Fee (\$) 50 200 360 | Fee (\$) 25 100 180 |
|--|--|-------------------------------------|

Total Claims = 4 - 20 or HP = 0 **Extra Claims** = 0 **Fee (\$)** = 0 **Fee Paid (\$)** = 0.00

HP = highest number of total claims paid for, if greater than 20

Indep. Claims = 3 - 3 or HP = 3 **Extra Claims** = 0 **Fee (\$)** = 0 **Fee Paid (\$)** = 0.00

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets = 100 = **Extra Sheets** = 0 **Number of each additional 50 or fraction thereof** = 0 **Fee (\$)** = 0 **Fee Paid (\$)** = 0.00

4. OTHER FEE(S)

Non-English Specification 130 fee (no small entity discount)

Other Request for Continued Examination (RCE)

Fee Paid (\$)

790.00

| | | | |
|------------------------------|--|--|-------------------------------|
| SUBMITTED BY | | Registration No. (Attorney/Agent) 44482 | Telephone 703.905.2043 |
| Signature <i>[Signature]</i> | Name (Print/Type) John P. Darling | Date January 14, 2005 | |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a patent by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB-7 (12-04)
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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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| Effective on 12/08/2004 Fees pursuant to the Consolidated Appropriations Act 2005 (H.R. 4818) | | Complete if Known | |
|--|--|----------------------|---------------------|
| FEE TRANSMITTAL for FY 2005 | | Application Number | 09/849,344 |
| | | Filing Date | May 7, 2001 |
| | | First Named Inventor | YOKOYAMA et al. |
| | | Examiner Name | Fontaine, Monica A. |
| | | Art Unit | 1732 |
| | | Attorney Docket No. | 041411-0277195 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | | |
| TOTAL AMOUNT OF PAYMENT | | (\$) 790 | |

| METHOD OF PAYMENT (check all that apply) | |
|--|---|
| <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____ | |
| <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 033975 Deposit Account Name: PILLSBURY WINTHROP LLP | |
| For the above-identified deposit account, the Director is hereby authorized to (check all that apply): | |
| <input type="checkbox"/> Charge fee(s) indicated below | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments |

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| FEE CALCULATION | | | | | | | |
|--|-------------|-----------------------|-------------|--|------------------|-----------------------|---|
| 1. BASIC FILING, SEARCH, AND EXAMINATION FEES | | | | | | | |
| | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | |
| Application Type | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee Paid (\$) |
| Utility | 300 | 150 | 500 | 250 | 200 | 150 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |
| 2. EXCESS CLAIM FEES | | | | | | | |
| Each claim over 20, or for Reissues, each claim over 20 and more than in the original patent Each independent claim over 3, or for Reissues, each independent claim more than in the original patent Multiple dependent claims | | | | | | | Small Entity Fee (\$) 50 25 200 100 360 180 |
| Total Claims = 3 | | Extra Claims = 1 | | Fee (\$) | | Fee Paid (\$) | |
| HP = highest number of total claims paid for, if greater than 20 | | X | | = | | 0.00 | |
| Independent Claims = 1 | | Extra Claims = 2 | | Fee (\$) | | Fee Paid (\$) | |
| HP = highest number of independent claims paid for, if greater than 3 | | X | | = | | 0.00 | |
| 3. APPLICATION SIZE FEE | | | | | | | |
| If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | | | | | |
| Total Sheets = 100 | | Extra Sheets = 0 | | Number of each additional 50 or fraction thereof | | Fee (\$) | |
| | | | | (round up to a whole number) | | X 250.00 = | |
| | | | | | | Fee Paid (\$) | |
| 4. OTHER FEE(S) | | | | | | | |
| Non-English Specification, 130 fee (no small entity discount) | | | | | | | Fee Paid (\$) |
| Other: Request for Continued Examination (RCE) | | | | | | | 740.00 |

| | | | |
|---------------------|------------------------|------------------|------------------|
| SUBMITTED BY | | Registration No. | Telephone |
| Signature | <i>John P. Darling</i> | 44482 | 703.905.2045 |
| Name (Print/Type) | John P. Darling | Date | January 14, 2005 |

This collection of information is required by 37 CFR 1.156. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/30 (33-04)

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| | | |
|--|-------------------------------|--------------------|
| Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Application Number | 09/849,344 |
| | Filing Date | May 7, 2001 |
| | First Named Inventor | YOKOYAMA et al. |
| | Art Unit | 1732 |
| | Examiner Name | Fontaine, Monica A |
| | Attorney Docket Number | 041411-0277195 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995 or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☒ Other Amendment file December 14, 2004
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 033975 I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- d. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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| | |
|--|--------------------------------|
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | |
| Signature <u>John P. Darting</u> | Date <u>January 14, 2005</u> |
| Name (Print/Type) <u>John P. Darting</u> | Registration No. <u>44,982</u> |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | |
|-------------------------|------------|
| Signature _____ | Date _____ |
| Name (Print/Type) _____ | Date _____ |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Instruction Sheet for RCEs (not to be submitted to the USPTO)

NOTES:

An RCE is not a new application, and filing an RCE will not result in an application being accorded a new filing date

Filing Qualifications:

The application must be a utility or plant application filed on or after June 8, 1995. The application cannot be a provisional application, a utility or plant application filed before June 8, 1995, a design application, or a patent under reexamination. See 37 CFR 1.114(e).

Filing Requirements:

Prosecution in the application must be closed. Prosecution is closed if the application is under appeal, or the last Office action is a final action, a notice of allowance, or an action that otherwise closes prosecution in the application (e.g., an Office action under *Ex parte Quayle*). See 37 CFR 1.114(b).

A submission and a fee are required at the time the RCE is filed. If reply to an Office action under 35 U.S.C. 132 is outstanding (e.g., the application is under final rejection), the submission must meet the reply requirements of 37 CFR 1.111. If there is no outstanding Office action, the submission can be an information disclosure statement, an amendment, new arguments, or new evidence. See 37 CFR 1.114(c). The submission may be a previously filed amendment (e.g., an amendment after final rejection).

WARNINGS:

Request for Suspension of Action:

All RCE filing requirements must be met before suspension of action is granted. A request for a suspension of action under 37 CFR 1.103(c) does not satisfy the submission requirement and does not permit the filing of the required submission to be suspended.

Improper RCE will NOT toll Any Time Period:

Before Appeal - If the RCE is improper (e.g., prosecution in the application is not closed or the submission or fee has not been filed) and the application is not under appeal, the time period set forth in the last Office action will continue to run and the application will be abandoned after the statutory time period has expired if a reply to the Office action is not timely filed. No additional time will be given to correct the improper RCE.

Under Appeal - If the RCE is improper (e.g., the submission or the fee has not been filed) and the application is under appeal, the improper RCE is effective to withdraw the appeal. Withdrawal of the appeal results in the allowance or abandonment of the application depending on the status of the claims. If there are no allowed claims, the application is abandoned. If there is at least one allowed claim, the application will be passed to issue on the allowed claim(s). See MPEP 1215.01.

See MPEP 706.07(h) for further information on the RCE practice.